

DRAFT - 24 February 1972 - EPG

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Overclassification and Declassification
of Information

1. This memorandum is for your information only.

2. ^{Pursuant to} ~~Resulting from~~ your request for a review of our current

posture on the problems of overclassification and declassification, the Intra-Agency Security Committee has held several meetings and has addressed itself to these two problems. They were reviewed against a backdrop of growing Congressional interest in this area.

3. On the problem of overclassification, the Committee has developed a draft of a proposed Notice which includes definitions of the Defense classification categories and suggested guidelines on the classification of information. The thought is that such an unclassified Notice would serve as a ready reference for the Classification Officers of the Agency.

4. On 15 January 1971, Dr. Henry A. Kissinger issued

spell out ← NSSM 113. In it he advised that the President has directed a review of the current security classification procedures set forth in

Executive Order 10501, as amended. The National Security Study Memorandum 113 directed that a committee be established and that it be chaired by a representative of the Attorney General. The resulting committee was chaired by Mr. William H. Rehnquist, Assistant Attorney General, Office of the Legal Counsel. Membership consisted of representatives of the Secretary of State, the Secretary of Defense, the Director of Central Intelligence, the Chairman of the Atomic Energy Commission, and the National Security Council's Staff.

5. A series of drafts of a proposed revision of the Executive Order have evolved, the latest having been developed by the National Security Council. It is a follow on of a National Security Council draft on which you submitted comments on 20 January 1972. The most recent revision was reviewed by the General Counsel on 16 February 1972. His summary comments were that ^{"I think} ~~"we~~ ^{WE} can live with this draft, although we will not be completely happy with certain portions."

6. On the subject of declassification and downgrading, the current draft provides for the following features:

a. Automatic downgrading and declassification
proceduresx

b.

8. The Intra-Agency Security Committee has reviewed
our current regulations on declassification and downgrading of
information. It has concluded that these regulations are adequate
in light of the provisions of the existing Executive Order 10501.

*put in
the -
minutes*

As noted above, however, a minimum of assets have been expended
on this effort in the past years. In view of the apparent imminence
of the issuance of a revision of Executive Order 10501, it is the
opinion of the Committee that no new directives on declassification
and downgrading need be issued at this time. The Committee has
agreed that priority attention should be given to the ~~the formulation~~ implementation
of directives on declassification and downgrading ~~so as to be in a~~
~~position to staff out the Agency policy and procedures as soon as we~~
have adequate assurance as to what the provisions of the new
Executive Order will be on that subject. *Put in the minutes*

8. In line with the current emphasis on declassification
and downgrading of information, we will propose to implement

Required
~~policy which will direct more emphasis on review for declassification~~
~~than is contained in the existing directives.~~

9. Possible questions and suggested answers for use in the event we become involved in hearings in the classification and declassification of information are currently being developed.

John W. Coffey
Deputy Director
for Support